

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 05-54408

JOHN WILSON and
MARY WILSON,

Chapter 7

Judge Thomas J. Tucker

Debtors.

**ORDER DENYING ROBERT HERNANDEZ'S "MOTION FOR LEAVE TO FILE
& PROCEED IN FORMA PAUPERIS AND APPOINTMENT OF COUNSEL"**

On January 9, 2009, Creditor Robert Hernandez (#B-42243), an inmate at the Dixon Correctional Center in Dixon, Illinois, filed a "Motion for Leave to File & Proceed in Forma Pauperis and Appointment of Counsel" (Docket # 343, the "Motion"), which the Court construes as a motion for the appointment of pro bono counsel to represent Mr. Hernandez in proceedings before this Court. The Court has a Pro Bono Program, information on which can be found at <http://www.mieb.uscourts.gov/probonoInfo/probonoProgram.html>. That program is limited: "The pro bono program provides legal services to debtors involved in adversary proceedings related to the discharge and non-dischargeability of certain debts. The program also provides service to an indigent former- spouse of a debtor regarding the dischargeability of obligations in the judgment of divorce." As the Motion does not indicate that Mr. Hernandez is a party of the type described above, he does not qualify for participation in the Court's Pro Bono Program. And there is no other basis on which this Court may appoint an attorney to represent Mr. Hernandez in this case.

Accordingly,

IT IS ORDERED that Robert Hernandez's "Motion for Leave to File & Proceed in Forma Pauperis and Appointment of Counsel" (Docket # 343), is DENIED.

Signed on January 12, 2009

/s/ Thomas J. Tucker

Thomas J. Tucker

United States Bankruptcy Judge